

## REMARKS

Claims 1-5 are currently pending with the entry of this amendment. The Office Action rejected Claim 1 and objected to Figure 3. The Applicant has amended Claim 1, added new Claims 2-5 and has corrected Figure 3. The Applicant request reconsideration and allowance of all the claims in view of the following arguments.

### Drawing Objection

The Applicant has amended Figure 3 to include the phase “prior art” as suggested by the Examiner. In view of this amendment, the Applicant requests withdrawal of the objection and acceptance of the drawings.

### Claim Rejection under 35 U.S.C §112 2<sup>nd</sup> para.

The Office Action rejected Claim 1 as being indefinite for the inclusion of “usually” in the claim. The Applicant has amended Claim 1 to remove “usually”. In view of the Amendment, the Applicant requests withdrawal of the 112 2<sup>nd</sup> para rejection.

### Claim Rejection under 35 U.S.C. §103

The Office Action rejected Claim 1 as being unpatentable over Shimakawa et al. The Applicant request withdrawal of the rejection as the Office Action has failed to establish a prima facie case of obviousness.

Claim 1 recites inter alia “ a reception screen and a program for controlling the sound suited to this screen to a receiver by using data broadcasting band ... and broadcasting images of one channel of program and broadcast contents to plural

programs.. in the sound broadcasting band...and selecting one desired program... by the program already received, and displaying on the screen of the receiver and delivering the sound of this screen.”

Shimakawa discloses a method for retrieving program transmission information which reduces power consumption of the receiver.

The Office Action suggests that Shimakawa discloses broadcasting a reception screen, and broadcasting images of one channel of program and broadcast contents of plural programs in the sound broadcasting band, and selecting one desired program by the program already received and displaying on the screen and delivering the sound to the screen and cites Figure 3 as its basis.

The Office Action acknowledges that Shimakawa does not disclose broadcasting a program for controlling the sound suited to the screen, which contradicts the Office Actions suggestions above.

The Office Action also asserts that the “reception control information data itself maybe specified as a program” and that the terrestrial data broadcast system provides program such as Electronic mail service, news, such as newspapers, magazines, TV programs and others.” The Office Action suggests that from these disclosures it would have been obvious to the skilled in the Art to modify Shimakawa by adding a control information program specifically geared towards the sound or audio for the screen.

However, the Applicant submits there is no disclosure or teaching to control the selection of sound from sound mixed signals by a program received over the broadcast band. The reception control information data, referred to by the Office Action, controls the data broadcast reception of the receiver such as the broadcasting time of specific programs, not the selection of sound for the display screen from sound signals already received as claimed in Claim 1.

The disclosure of Shimakawa does not disclose, teach or suggest "selecting one desired program from the combined image and sound mixed signals of plural programs by the program already received" as claimed. Therefore, a prima facie case of obviousness has not been established. The Applicant requests withdrawal of the rejection and allowance of the claims.

## CONCLUSION

In view of the amendments and remarks above, the Applicant request withdrawal of the rejections and allowance of Claim 1. In addition, the Applicant request allowance of new Claims 2-5 which incorporate the salient features of Claim 1.

Respectfully submitted,



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